

Dave C.

Frederick County Department of Public Works

Policy for Administratively Approved Public Storm Drain Easements

Adopted as Policy

By Authority of

David Gray

David Gray, President Board of County Commissioners

Date 8/5/99

Frederick county currently requires Deeds of Easement /Maintenance Agreements be provided for storm drain and stormwater management facilities. These easements allow county inspectors to insure proper construction of the facilities, as well as proper maintenance throughout the life of the system.

Under the county's current policy all storm drain systems which place the maintenance requirement on the developer and his successors (private) are approved administratively by the president of the Board of County Commissioners (BOCC). Those easements which place the maintenance responsibility on the county (public) require a public meeting to obtain approval.

Staff has developed the following guidelines to determine which portions of storm drains and culverts should be publicly maintained. These guidelines have been established based on the adverse affects improper maintenance would have on the adjacent county roads.

Staff proposes that the President of The Board of County Commissioners be given the authority to administratively approve easements which provide for county maintenance for the following areas:

1. Road culverts- culverts running perpendicular to the right of way, which extend beyond the right of way limits. This is to include culverts running at a skewed angle.
Storm drains exiting the right of way, to the first structure (including the structure) outside the right of way (maximum 100 feet or front yard Building Restriction Line)
County would maintain the pipe, both in the right of way and outside the right of way, from the edge of rip rap to edge of rip rap, or to structure as described above.
2. Storm drains diagonally cutting the corner at an intersection, causing the pipe to exit the right of way at the intersection truncation.
3. Storm drain running essentially parallel to the right of way, which runs outside the right of way for a portion of it's length, due to road geometry, and is an integral part of the roads drainage system.
4. Storm drain running between two rights of way which are generally running parallel. (maximum 400 feet)

DPW requests the Board of County Commissioners accept these guidelines for determining which improvements should be publicly maintained, and grant authority to the President of the Board to administratively approve all those easements which propose maintenance be provided by the county, and meet these guidelines.